IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION NO.3459 OF 2004

1. Shri Shrikrishna N.Inamdar and ors. Applicants.

Vs

1. The Sr.Inspector of Police,
Dadar Police Station, Mumbai and ors Respondents.

Mr. Shirish Gupte, senior counsel, i/b Mr Subodh Desai, for the applicants.

Mr R.Y.Mirza, APP for the respondents.

CORAM : D.B.BHOSALE,J.

DATE : 17th AUGUST, 2004.

PC:

1. Heard Mr.Shirish Gupte, learned senior counsel for the applicants and Mr.Mirza, learned A.P.P for the respondents.

2. By this application, the applicants have prayed for transit bail. The applicants apprehend arrest in connection with the complaint bearing No.Spl.4 of 2003 pending before the Sub-Divisional magistrate, Patna. According to the applicants, the complaint has been filed against them for contravention of (i) Rule 65(5)(1) of the Drugs and Cosmetics Rules, 1945, (ii) Section 22 (3) of the Drugs and Cosmetics Act,1940 and (iii) and para 9 of the Drugs Price Control Order, 1995.

Mr.Gupte, learned senior counsel for the applicants, submits that so far the applicants have not been served with the summons and in view thereof prays for protection for four weeks to enable the applicants to approach the concerned Court for appropriate relief. Mr Mirza, learned APP for the respondents, has no objection for granting limited protection. In view of this, I am passing the following order.

(i) The applicants shall not be arrested in connection with the complainant No.Spl.4 of 2003 pending before the Sub-Divisional Magistrate, Patna, for a period of four weeks from today to enable the applicants to approach the concerned Court for appropriate relief.

. Let me make it clear that while granting protection I have not examined the merits of the case. The application is disposed of

. Authenticated copy of this order may be made available to the parties.

(D.B.BHOSALE, J.)